

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q94683

Hiroshi KUBO, et al.

Appln. No.: 10/580,403

Group Art Unit: 1614

Confirmation No.: 2089

Examiner: Zohreh VAKILI

Filed: August 18, 2006

For: COMPOSITION HAVING LIVER FUNCTION PROTECTING EFFECT

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §§ 1.97 and 1.98**

**MAIL STOP AMENDMENT**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, except for the following: U.S. patents and/or U.S. patent publications; and co-pending non-provisional U.S. applications filed after June 30, 2003.

The present Information Disclosure Statement is being filed after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application (whichever is earlier), and therefore Applicant is filing concurrently herewith a Statement Under 37 C.F.R. § 1.97(e). No fee under 37 C.F.R. § 1.17(p) is required.

INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §§ 1.97 and 1.98  
U.S. Appln. No.: 10/580,403

Attorney Docket No.: Q94683

For the Examiner's information and in compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of a Supplementary European Search Report from the European Patent Office in counterpart Application EP 04 79 3405 citing such documents indicating the degree of relevance found by the European Patent Office. Documents cited in the Supplemental European Search Report that are not listed on the attached PTO/SB/08a form were listed in an earlier filed Information Disclosure Statement.

Further in compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant submits the following:

1. An English language translation of JP 2003-088330.
2. An English language abstract of WO 03/032968.
3. An English language abstract of WO 02/090304.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

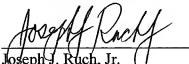
SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: March 12, 2009

  
Joseph J. Ruch, Jr.  
Registration No. 26,577

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q94683

Hiroshi KUBO, et al.

Appln. No.: 10/580,403

Group Art Unit: 1614

Confirmation No.: 2089

Examiner: Zohreh VAKILI

Filed: August 18, 2006

For: COMPOSITION HAVING LIVER FUNCTION PROTECTING EFFECT

**STATEMENT UNDER 37 C.F.R. § 1.97(e)**

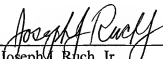
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Sir:

The undersigned hereby states, upon information and belief:

That each item of information contained in the Information Disclosure Statement filed concurrently herewith was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of said Information Disclosure Statement.

Respectfully submitted,

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

  
\_\_\_\_\_  
Joseph D. Ruch, Jr.  
Registration No. 26,577

WASHINGTON OFFICE  
**23373**  
CUSTOMER NUMBER

Date: March 12, 2009